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Undoing closure: why the Church should sanction same-sex civil unions.

(This is a completion of the work begun in the previous writing)

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1. Introduction

Let me say, right from the start, that part of the problem in the debate on same-sex civil unions is that we (1) separate our ethical work from our Biblical interpretation and (2) that we do not question our prejudices so as to determine which prejudices are justifiable and which are not.

In the previous writing, **Undoing Closure: Responsible use of the Bible in Christian ethical decision making**, it is argued that what makes for truth in Biblical interpretation, is that prejudices constitute the link between past text and current interpreter as opposed to objective readings of the Bible. The current interpreter always ‘knows more’ about the subject matter, than the author of the ancient text, and therefore the meaning of a text cannot be limited to the author’s intent and application follows after the uncovering of such an original intent or meaning. Already in coming to the text we are applying it to today for we can only interpret text from within our own historical situation. In other words, prejudices is that which makes understanding possible, for coming to a text we read it from within our prejudices, which makes for new understandings in new or different historical contexts. This is how all understanding happens.

Our approaches to the use of the Bible in Christian ethics and our exegetical models should thus reflect this hermeneutical notion. Exegesis must therefore include the following elements: “The first element is a historical–type look at the text concerned with gaining a first “provisional clue” to the establishing of what the text points to and utilizes the results of a variety of historical methods.” (Selby, R 2006: 152) The second element consists of gaining a deeper insight into the subject matter. This stage can also be characterized by reflection for the

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interpreter must of necessity "... everywhere betrays the fact that, consciously or unconsciously ... he has approached the text from the standpoint of a particular epistemology, logic or ethics..." (Selby, R 2006: 153) This leads the interpreter to the truth claim of the text concerning the subject matter. The truth claim of the text consists also of the 'more' we know. In other words, what the text is saying to us is based on the insights we have of the subject matter and our own prejudices. These insights come to us as a result of our context or the context in which we do our ethical decision-making.

We can also put it this way: In reading the text we are already applying it, making it our own, for interpretation is application, as opposed to a 'historical reading' in which we first uncover the author's intent and then find ways to apply it. And this application is an outcome of our frame of references with which we come to the text. The third stage is to return to the text with this deeper insight into the truth claim of the text. The truth claim of the text can thus never be separated from our prejudices, for our prejudices constitute the link between past text and current interpreter. Although we are working here with three elements, it is rather the case that already in the provisional clue, our prejudices are evident for what happens within the interpreter is a kind of to-and-fro process.

2. The October 2008 meeting in Cape Town

There is no doubt in my mind, that is, from my point of view, that the discussions, during both the official sessions and times of leisure, were conducted in an atmosphere characterised by respect, not only for one another as individuals and as fellow Methodists, but also for the debate itself. The way in which the discussions (or topics) were introduced made for such participation

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and openness. One can only give credit to the organizers and their helpers, for the work they have done in putting everything together.

Apart from being informative, and thus as is often the case, a learning experience, the sense of participating in something which is much bigger than one's own 'viewpoint,' the sense of belonging, of journeying together, were, as it always is, important aspects of the meeting. I must admit that one of the thoughts accompanying me to the meeting was whether this kind of exposure of one's own position would turn out to be positive or negative. Would it not be easier to remain silent? At present, I have found the exposure to be a very positive experience, and the credit must surely go to all those who are contributing to the debate, DEWCOM, and especially those present at the meeting, whatever their position or viewpoint may have been. There are many, but I can think here of people like Revs. Ray Alistoun and Neill Robinson, whose understanding of Biblical interpretation is very different than my own and to Rev. Tim Attwell, who is, perhaps, closer to my own view. Also, then, a word of thanks to Rev. Johan Hulshof who, although in disagreement with my views, made it possible for me to attend.

Although one can point to this sense of togetherness in terms of journeying together as fellow believers, it is clear from the discussions, as it is reflected in the Listening Committee's report, and based on the different "personal, theological, ethical and hermeneutical starting points," and conclusions drawn, no consensus or any kind of 'final' agreement is possible, at least not for the foreseeable future. At one stage I was thinking that perhaps the differences are just too big, the convictions too deeply held.

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Led by the way the discussions were going, at another stage, I was also reflecting on what would a compromise between the different viewpoints consist of. What would it look like? Is it possible at all? Can one ‘compromise,’ between different viewpoints in the context of being the Church, the Body of Christ? Can the Church, or a (one) denomination, be a place of ethical, theological and hermeneutical diversity? At the end of the meeting I still had no ‘final’ answers to these questions, although I would argue that the Church could indeed be a place of such diversity. Perhaps that was the overall impression I left with: that although there is dialogue no ‘answer’ is forthcoming. At least not the kind of answer we (I am) are hoping for. But then again, reflecting on the meeting, maybe the answer, at least for me, for the time being, is this indecision and therefore the lack of any sense of despair or ‘negative feelings,’ on the outcome of the meeting. Perhaps this indecision or hesitation is necessary, for responsible moral action demands that one hesitates before making a decision, taking everything into consideration. But eventually one will have to take a position and say; ‘Here I stand!’

I am glad I went, participated, met with others, and being able to really listen to and hear the different viewpoints, especially those who differ so much from my own. A very challenging and positive experience! It also became clear that although I differ greatly from some of the other positions taken, or the viewpoints being put forward, there is in each and every position or viewpoint something, however small, I could agree with. Something positive I could reflect on and say; “Yes, certainly this too does make sense.”

However, having heard the different viewpoints it is then necessary, emphasized for me during the meeting, to put forward one’s own position as best as one can, for what is at stake here, based on my own values and starting points and

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conclusions drawn, is whether the Church itself, that is, in its ethical decision making at and during Conference (s), acts, morally, according to the ways in which responsibility should qualify Christian ethical decision making, especially in relation to the use of the Bible in its ethical decision making or not and the implications thereof. Another point which was raised was whether we really know where each one or each viewpoint 'comes' from. Meaning, whether we know how the different positions or conclusions drawn are arrived at. Perhaps the way I present my own work will at least make it clear how I arrive at my conclusions drawn and so enable others to know 'where I come from.' This kind of knowing seems to be a necessity in the process of debate and dialogue. Of course, knowing where others come from always enables one to formulate one's own position more carefully and better informed.

It also became clear during the meeting that, ultimately, my own views are subject to the discussions and the decision-making, of a people whose hearts have been strangely warmed, and there is, again, no doubt in my mind that I was amongst such people. Subject to, because I also have a responsibility toward my calling as an ordained Minister of the Methodist Church of Southern Africa. In the discussions I could also hear this sense of responsibility amongst the others present. Of course, as it also became clear in the meeting, the real difficulty, for many, would come, it would seem, when the Church does decide to take a 'final' stand.

3. Objective thinking

It should be clear from the introduction that if prejudices constitute the link between past text and current interpreter, there is no place for objective thinking in Biblical interpretation. As a 'left over' from the enlightenment and/or

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modernism our exegesis continues to be influenced by historical objectivism or objective thinking. Objective thinking holds that the interpreter has overcome or is able to 'bracket' out, his or her prejudices and therefore is able to find the meaning of the text in a totally 'objective' way, of which method and its assumptions have become the criteria for truth in interpretation. This is normally done, by referring to the author's intent.

Objective thinking holds that meaning involves what the author meant. It is locked into time and cannot change. It is part of history, and we cannot change the past. As a result, a written text has and will always have the same meaning it had when it was written. What an author meant by his text cannot be changed.

Historically, "... the rhetoric of objectivism – the invocation of self – evident truth and objective fact, intrinsic value and absolute right, of that which is universal, total, transcendent, and eternal, - has had tremendous power. It is the power we call inspirational when produced by those we follow or admire, ..."

(Smith, B 1994: 292) It holds that some knowledge is able to overcome the perspectives, the prejudices of some individual or community. It operates on the principle of neutrality and detachment, distancing itself from values in interpretation, while at the same time, not questioning their own perspectives, as if one's morality has nothing to do with the task of interpreting. Objective thinking comes to us in two ways; in demonstrated, universal truths and in historical knowledge. In both, objective thinking amounts to "... a view from nowhere," (Porter, T 1994: 198)

Its program is to establish a kind of knowledge, which can be had without taking into account or independent of any historical, cultural or circumstantial, conditions, and free from the perspectives of particular interpreters. By doing so,

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by not reflecting on its own historical situatedness, objective thinking, in its methodology, forgets its own historical situatedness. It "... pays no heed to the diverse experiences and circumstances that often produce an imperfect fit between principles and situations." (Code, L 1994: 182)

Objective thinking, then, starts with the notion of the passivity of the observer or interpreter, which is made possible through or by its methodology, with its 'objective' standards which lead to criteria of absolute certainty.

But a shift has taken place in hermeneutics. Hermeneutics is a special way of linking the universal to the particular. What is universal can only be known in its particularity, in other words, to use an example, something universal as love, can only be fully known, or its truth claim can only be fully understood, in its particular context. The truth claim of a text from the past can only be fully known in its current interpretative context. I am always reminded of the cartoon strip where Charlie Brown cries out: "Humanity I love, its people I can't stand!" It is, in other words, about the concreteness of moral action.

4. Undoing closure

4.1. Introduction

Having done the preparatory work, we are now to provide points of departure for a recommended approach, as an ideal type, to Christian ethical decision-making. In Christian ethical decision making the Christian as moral agent starts from ways in which responsibility should qualify Christian ethics as opposed to an ethics of conviction, which implies that the moral agent's approach is characterised by an inclusive, rather than an exclusive approach. He or she also

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starts from the notion that prejudices, constitute the link between past text and current interpreter, rather than historical objectivism. Another fundamental

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starting point is that the ability to correctly process ethical decision making in which both moral norms and the context in which ethical decision making happens, determines the outcome, is more important than either a purely deontological or teleological ethics. Rules are descriptive, in that they can only function as broad moral guidelines, rather than prescriptive and not only must the consequences of one's ethical decision making be taken into account but also the moral obligation to constitute moral norms for what would lead to the good of society.

4.2. Inclusive and exclusive approaches

One of the implications of the ways in which responsibility should qualify Christian ethics is that the particular role responsibility or vocation of the Christian as moral agent is taken seriously. This vocation is never separated from the transformation of society and in turn, this transformation can never be separated from the concrete reality of the context or society in which the moral agent finds him or her self. In working out Christian ethical decision making within a society which is characterised by a plurality of values which are often in conflict with one another, a distinction can be made between an exclusive and an inclusive approach to the transformation of society. This distinction is based on Max Weber's differentiation between an ethics of conviction and an ethics of responsibility.

An exclusive approach has as its goal the Christianisation of society and in so doing holds that Biblical norms should be the final authority for moral action in all spheres of life. It regards its own "... interpretation of the moral message of

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the Bible as the sole and final measure of political policies and actions.” (de

Villiers, D E 2005: 526) Referring to Max Weber’s distinction between an ethics

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of responsibility and an ethics of conviction, an exclusive approach holds to its moral values in an absolute way without taking into account the specific nature of politics and the very specific role responsibility politicians have as politicians. There is also a neglect of taking into account the negative consequences of political moral action when such actions are based on absolutes derived from the Bible without taking into consideration the role responsibility of the politician.

An inclusive approach, on the other hand, holds that what can be aimed for is the optimal accommodation of different value systems operating in a given context. An inclusive approach takes responsibility for analysing the situation as thoroughly as is possible and deliberating all the possible consequences of different options for action, “...also for weighing different value systems that are in play, before making a decision on the right action.” (de Villiers, E 2005: 527) The vocation of the Christian as moral agent can thus only be had from an inclusive approach for ethical decision making can never be reduced to “... a simple matter of mechanically applying only moral principles in particular circumstances.” (de Villiers, D E 2005: 527) In an inclusive approach not only moral values based on biblical grounds but also the functional values and cultural values operating in any given moral sphere is taken into account.

In taking into account the different value systems which are in play in any given situation, the priority of moral and religious values is never an absolute one. In other words, it is not the case that “... moral values always completely replace functional values that seem to be in tension with it.” (de Villiers, D E 2005: 527) It is rather the case that “...the role of moral and religious values over against

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other values is primarily a limiting one: To prevent them from claiming validity outside their sphere of competence.” (de Villiers, D E 2005: 528) Religious and

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moral values can also be used to speak against ‘distorted versions’ of other value systems, when they do become so within their own sphere of influence.

An inclusive approach also holds to the notion that what is needed is a consensus on what the good South African society entails. This can only be achieved through open dialogue between Christians and between Christians and non-Christians. In this dialogue there is the need to admit, that, “... not all the normative elements needed for the construction of a Christian vision of a good contemporary society can be found in the Bible.” (de Villiers, D E 2005: 529) This will mean that, in normal circumstances, when Christians engage in dialogue with others as to what would constitute the good South African society, there is a need to do so, firstly, on the basis of those values shared by all and not on the basis of what amounts to a strong Christian morality. Secondly, however, there is the need to argue for Christian moral values so as to influence policy making but this can only be done on the basis of arguing for views, which can be accepted by other sectors of society.

Relating this need for consensus to Biblical interpretation there is a distinction, on a spectrum of views, between those who hold that all Biblical moral directives are equally valid for today, and on the other hand, those who hold that, because such directives are culturally situated, they have no validity for today. This can be seen as a distinction, between a ‘fundamentalist,’ and a ‘relativist,’ view on Biblical interpretation.

4.3. Responsibility/prejudice and conviction/objectivism

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In Christian ethical decision making, as a fundamental starting point one either starts from the ways in which responsibility should qualify Christian ethics and

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prejudice as the link between past text and current interpreter or one starts from an ethic of conviction and the hermeneutical principle of historical objectivism. This link between responsibility and prejudice and conviction and objectivity is crucial to Christian ethical decision-making for it addresses, or link, the use of the Bible within the process of ethical decision making to the process itself. In other words, if one starts one's ethical decision making, from the ways in which responsibility should qualify Christian ethics, as a fundamental attitude or starting point, one's use of the Bible will be influenced by the fundamental starting point that prejudices constitutes the hermeneutical link between past text and current interpreter. This is so, for the prejudices which influence one's use of the Bible are conformable to the ways in which responsibility as a meta-ethic should influence the decision making process. In other words, within the moral agent, the one leads to the other. The basic prejudice is that prejudices constitute the link between past text and current interpreter. If one starts from an ethics of conviction then one's hermeneutics will be influenced by historical objectivism. The prejudice then is the prejudice against prejudices in biblical interpretation. The prejudices in historical objectivism are not conformable to the ways responsibility should qualify Christian ethics and thus cannot lead to responsible use of the Bible in ethical decision-making.

4.4. Correctly processing moral decisions

What is important in Christian ethical decision-making is the ability to correctly process moral decisions. The work of Heinz Eduard Tödt is introduced as an ideal type of such a way of ethical decision-making. It is being introduced as an

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ideal type of, "... the steps to go through in judgment – formation to arrive at a decision. (Tödt, H 1994: 291) He identifies six steps, or aspects in the process of ethical decision-making. This does not mean that these steps follow one another

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in an orderly way. What is the case is that these six steps can rather be seen as six aspects of the one process which will become clear when and as the moral agent reflects on or looking back on, his or her ethical decisions made and those aspects which influenced his or her ethical decision making. Ethical decision-making happens in a kind of circular way and it is possible for the moral agent to enter the circle at any place and proceed from there, as in a kind of going forth and back. The different steps, influences one another so that a constant revision is taking place within the moral agent.

4.5. An ideal type of Christian ethical decision making.

Using the issue of same-sex civil unions the role of the following six steps is to be illustrated:

1. Definition of the problem
- 2 Analysis of the situation
- 3 Behavioural options
- 4 Testing the norms
- 5 The judgement as decision
- 6 Retrospective adequacy control

4.5.1. Definition of the problem

Defining the problem as a moral problem requires of the moral agent to ascertain the way he or she is 'involved' in the issue, and thus affected by it.

There needs to be an investigation into what is at stake, whether it requires more

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than just mere "...technical" solutions inasmuch as they challenge his or her own ethical judgment." (Tödt, H E 1994: 292) There is a confrontation with the problem as a concrete problem. In other words, the moral agent must be aware

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of the problem as moral problem. Not all problems we encounter are ethical in nature. An ethical or moral problem is only ethical or moral when it affects the person as such. Even our choices in relation to what are moral problems for us and which are not are ethical in nature. The involvement of the moral agent also entails the instance holding the moral agent accountable and the sphere in which the moral agent is held accountable. We have broad moral responsibilities for which we are accountable to God, others and self. It is also so that often people have to formulate their moral decisions in solidarity with other people when they are faced with common problems. It then becomes necessary to, as a moral responsibility, enter into dialogue with others so as to determine whether the problem is being understood in the same way, by all involved. This dialogue also entails the constitution of moral obligations in our time, which entails the formulation of new moral guidelines where that may be necessary, and a search for moral consensus.

The task of reaching consensus on what the problem entails, or the definition of the problem, can only be done from an ethics of responsibility, which is able to recognise the role of the prejudices of both the individual and tradition and the need to critically engage with such prejudices. Historical objectivism and/or an ethics of conviction, thus an exclusive approach, is not able to reach such an agreement, or deny the need to do so, for they ignore or deny the role of prejudices in dealing with or understanding the moral problem. In coming to the issue as a moral problem the moral agent already has some pre-understanding of the subject matter, in this case, both to, the issue of same-sex civil unions and

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that of the hermeneutical task or use of the Bible in relation to the moral problem at hand.

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In acknowledging prejudices as the link between past text and current interpreter, there is a critical reflection on such prejudices so as to determine which are conformable to the ways in which responsibility should qualify Christian ethics and which not. In this way there is no separation between ethics and Biblical work. In linking these prejudices to the ways in which responsibility should qualify Christian ethics, it opens up the way for these prejudices to be in dialogue with the values of others, and different value spheres so as to determine new moral directives for our time.

It is now possible for people of the same sex to enter into a lawful civil union, under the Civil Union Act. Different denominations have acted differently, to this Act, from positions which reject such unions as not in accordance with God's revealed will, based, inter alia, on their use of the Bible, to positions which advocate an acceptance, also based on, inter alia, their use of the Bible. We can thus say that for some it is not a problem at all, as the Scriptures are clear in their condemnation of such unions or it is not a problem for the Scriptures are interpreted in such a way that it does not condemn such unions and for others it is a problem for the Scriptures are not clear, in other words it is possible to interpret the relevant texts differently which makes, within a particular denomination, for some to condemn such unions and others to not condemn such unions. It is thus clear that only for some, there is a challenge of their ethical judgement related to the issue of same-sex civil unions and thus their use of the Bible. It is precisely in ignoring or forgetting the role of prejudices, and thus ascribing to an ethics of conviction, that some

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denominations and individuals, are able to hold onto a position, which advocates a 'no moral problem' approach. In other words, in addressing the issue of same-sex civil unions, there is a separation between Biblical study and ethics.

Following on from this there is also a neglect of reflecting on what kinds of acts

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of interpretation are responsible in a number of ways. This in turn is followed by a neglect of an investigation into what is justifiable in one's prejudices and what is not.

For a denomination to have its ministers officiate at such unions the denomination is to apply, on behalf of its ministers or marriage officers, to the Minister of Home Affairs for permission. In this there is a dialogue with a Constitution based on human rights, which includes the rejection of any unfair discrimination on the grounds of one's sexuality.

Both the particular denomination the minister as marriage officer belongs to and the Constitution can thus be seen as the spheres or instances holding the moral agent accountable. The moral problem thus arises or is accentuated, when a minister as a marriage officer is asked by a same-sex couple to officiate at their union and based on his or her use of the Bible, can agree to such a request, but because of the position of the denomination he or she belongs to, holding him or her responsible, cannot consider such a request positively. The denomination is thus not willing to, at least for the foreseeable future, for one or various reasons, apply for permission for its marriage officers, to officiate at such unions. It is also possible that a denomination allows its marriage officers to officiate at such unions but because of his or her use of the Bible, the marriage officer, as moral agent cannot agree to such a union. The moral agent is then confronted with a moral problem, that is, that which affects him or her directly in a moral or

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ethical way. The Act, however, does allow for such marriage officers, to deny such a request based on personal religious and moral grounds.

It is thus clear that what is called for is ongoing dialogue between Church and Constitution, between different denominations and between those within

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particular denominations so as to come to a mutual understanding of the moral problem as it relates to same-sex civil unions and within that, the use of the Bible. Only when the moral agent, the individual and/or denomination/Church, is able to approach the problem from assuming broad moral responsibilities toward God, self and others that this dialogue can take place. To approach it from an ethics of conviction/historical objectivism is to prematurely end the dialogue. According to this view, there can thus not be a formulation of the problem in solidarity with others for it holds to ethical or moral exclusivity or an exclusive approach as described above. Historical objectivism denies the notion of pre-understanding in the moral issue at hand and as such holds to what can be objectively known, thus also claiming that the meaning of the text is closed.

4.5.2. Analysis of the situation

The second step is that of an analysis of the situation. “This involves an investigation of the “real context” in which the problem arises (for instance, the social and political framework, the relationships to personal or group life and action), in order to determine how the definition and solution of the respective problem is conditioned by the context.” (Tödt, H E 1994: 292) Dealing with context, ethical decision-making grounds itself in reality. A reality, which is made up of different value systems, which can be in conflict. Not only does the moral agent have to deal with a plurality of value systems, but also the reality of a hierarchy of values operating within a context. We have to choose from within

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a wider context the specific situation in which the moral problem is situated in and this choice or selection depends on the 'world-views' and interests of those involved. Included in this step is that the moral agent is being influenced by and thus have to make use of the contributions of those sciences and frames of references which each has something to say about our life-world although each

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can only do so in a limited way from within its own horizon of meaning. In this way it is already an ethical issue, in determining which sciences will be allowed to say what on the particular issue. We cannot but simplify things in order to deal with ethical issues for we live in a pluralistic society, which means that things are not always so clear and self-evident as we sometimes make it out to be. We thus need to determine what is really at stake. In this step we also gain insight into the origins of the problem. It is so that the nature of the problem is also a result of the past on the present.

The first instance in terms of context is the Constitution of South Africa. Section 9(3) of the Constitution states that the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds which includes sexual orientation. Section 10 provides that everyone has inherent dignity and the right to have their dignity respected and protected and section 15(1) provides that everyone has the right to freedom of conscience, religion, thought, belief and opinion. The Constitution is based on an open and democratic society, which is based on human dignity, equality and freedom. It is against this background that the Civil Union Act (16/2006) was promulgated. The law provides further that any religious denomination or organisation may apply to the Minister to be designated as a religious organisation that may solemnise civil unions in terms of this act. It is clear that within this context there are different value systems operating.

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The state has a responsibility to uphold the Constitution. Within this responsibility there cannot be, within the dialogue between Church and Constitution, a demand for biblical norms to be upheld against the different value systems and the freedom of conscious of others as we have seen in the description of an inclusive approach. Responsible moral action is opposed to an approach which seeks to 'keep the flame of one's convictions burning,' within a

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context which is characterised by a plurality of value systems. The context thus addresses the issue of religious obligations related to the Constitution, which is based on the separation between religion and state. It thus has to do with the vocation of the Christian as moral agent within the context of society as a whole.

The second instance in terms of the context is the Christian community itself. The plurality in the use of Scripture relating to the issue of civil unions is but one instance of the plurality of ethical views or approaches within the Church. Moral decision-making can be based on one of many possible approaches to ethical decision making, amongst others: Principles, Natural Law, Intuition, Laws and Rules, Character and Community. Each of these and other approaches has its own strengths and weaknesses but the issue is whether it leads to responsible moral acts or not. The context, in this way, can thus be seen as that of the conflict between different ways of doing ethics in the life of the Church and the implications of these different ways for the moral agent's approach to the use of the Bible in his or her ethical decision making. In this, two possible approaches have been identified, namely, historical objectivism/ethics of conviction and prejudices as the link between past text and current interpreter/ways in which responsibility should qualify Christian ethics. It is true to say that different traditions within the Church use different ways of moral decision making and even within these groupings there are different ways of dealing with the same problem. It would thus seem that the Church is a place of

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ethical diversity. Within Christian ethical decision-making there is, basically, four approaches to the use of the Scripture as we have seen in the previous writing, and a plurality of exegetical traditions each made up of different approaches or models. There is thus a moral obligation to make use of those approaches and exegetical methods, which ascribe to an ethics of responsibility, for not all approaches and methods can be responsible. The responsible moral

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agent cannot celebrate the plurality in the use of the Scripture. Only those approaches, which allows for the liberation of prejudices, that is, prejudices as the link between past text and current interpreter, can be used in an approach characterised by responsibility.

A third instance in terms of context has to do with our understanding of human sexuality. In other words, the context is that of what the sciences has to say about homosexuality. At this moment in time there seems to be a move away from the psychological models used to explain homosexual behaviour to biological explanations, although, "... the biological theories, ... 'seem to have no greater explanatory value,' than the psychosocial models they seek to displace." (Jones, S & Yarhouse, M 2000: 104) In the end it would seem that homosexual behaviour is based on the same grounds as that of heterosexual behaviour, namely, that "... sexual orientation is assumed to be shaped and reshaped by a cascade of choices made in the context of changing circumstances in one's life and enormous social and cultural pressures." (Jones, S & Yarhouse, M 2000: 105) There is thus for the homosexual person, as it is for all persons relating to their sexuality, both genetic and environmental factors present. This modern knowledge in terms of human sexuality does have a bearing on the understanding of what the Bible is saying about homosexuality. For the Biblical authors and their readers, as we will see later on, did not have these insights into

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the matter and looked at homosexuality in terms of their own frames of moral and other references.

A fourth context to be considered is the institution of marriage. Marriage is seen as a life-long union between two people of the opposite sex, male and female, thereby excluding all else. This is still the view, of both the state and the Church. The Civil Union Act did not replace the Marriage Act but adds a provision for

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same-sex couples to have a lawful civil union in which all the privileges and responsibilities of a marriage, under the Marriage Act, are binding.

It is thus clear that the responsible moral agent will take into account and thoroughly analyse the context(s) in which ethical decision-making occurs. In doing so he or she will at the same time hold to an overall schema in order to make sense of the diversity or the plurality of viewpoints. This overall schema is based on ways in which responsibility should qualify Christian ethics, prejudices as the link between past text and current interpreter in the hermeneutical task and the relation between Christianity and ethical decision-making. The fundamental starting points for the moral agent is to be had within these views.

4.5.3. Behavioral options

Thirdly, Tödt speaks about behavioral options. Here we need to give an answer to the question: What needs to be done? Whether our behaviour would be 'good?' And we do so in terms of our moral norms, the context we find ourselves in, and the foreseeable consequences of our moral actions. Taking into account the foreseeable consequences of one's ethical behavior the moral agent also takes into account the effect of his or her behaviour on the freedom of conscience of those who do not share their moral conviction. It also includes the notion that current ethical behaviour relates to the quality of life of future

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generations. We are engaging in who we have become, as moral agents, without realizing it, and our critical judgments, for asking questions about possible options for behavior we are asking about the different possible options which exists in terms of who we are, in terms of the moral agent remaining true to him or herself. Our ethical behaviour cannot be separated from who we are as human beings.

There is in ethical decision making an overcoming of a legalistic approach in which ethical decision-making can be had only in terms of pragmatism and in a technical sense. We have to morally evaluate even our choices in the light of how our ethical choices are going to influence the future. And because we cannot know the future, in an absolute definitive way, we are forced to acknowledge that ethical decision making cannot happen in a simplistic way; This implies that we, in ethical decision making, have to do with choices based on ethical or moral preferences in terms of giving preference to one rather than the other, rather than between the good and the bad. Here we move into responsible freedom. It is precisely the context, which ask of the moral agent to address the concrete problem in terms of who Christ is for us today or the form of Christ for us today. This is to say that in each situation Christ, as the One for the other, takes on, or exercise his deputyship, his being there for the other, according to the demands of the context as we have seen in the discussion on the work of Dietrich Bonhoeffer . Christ acts within the limits of the world or context. Our theology in ethical decision-making is thus an incarnational theology. In this sense we may become guilty because not only here and in our earlier steps we can be at fault but to do the ‘wrong’ thing, in terms of principles and rules, for the right reasons. We are sharing in this work of Christ and therefore our options are to be guided by this ‘concreteness,’ of Christ. This is who we are in Christ and any moral behaviour will have to share in this

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deputyship of Christ, being there for the other. This is what constitutes moral responsibility.

To not examine the context as fully as is possible and to not explore all possible options for action and to not take into account the foreseeable consequences of one's moral actions is already a way of not being responsible. We have a responsibility to the text and to those who are influenced by our reading of the

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text. There can thus not be ethical 'solutions' in terms of predetermined laws, principles and rules but rather in what responsible action entails within a certain context. Ethical decision-making has to do with applying that which has become for us universal, to a particular situation. This application cannot be done in terms of rules but rather in terms of what it is to act with practical wisdom in a given situation. Practical wisdom implies the descriptive function of principles and rules, rather than being prescriptive. In other words, the context provides for what would be good. Only in that way does the universal become applicable.

A possible option for what needs to be done is the acceptance that homosexual acts are based on the same evaluation of that of heterosexual acts. In other words, all sexual acts should be evaluated on the quality of the relationship in which it happens. In this way, homosexuality is but one aspect or one expression of human sexuality. Homosexual relationships and behaviour can thus be legitimate, in terms of the context in which it happens. The Bible does not condemn homosexual behaviour in and under all circumstances. As we will see later on, the Bible does not refer to homosexuality in terms of the civil union Act we have today, or to the kind of homosexual relationship which is being considered today. There can thus not be preset rules or principles, based on traditional views of marriage and human sexuality, and legitimise by objective readings of the Bible. This conclusion can only be drawn if the role of prejudices in ethical decision-making is acknowledged. Also, thus, if there is no

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separation between ethics and Biblical work. It also entails that the different contexts, in this case the dialogue with the Constitution, the understanding of homosexuality and marriage, and the plurality of ethical views, in which ethical decision-making happens is taken into account.

The consequences of this option, inter alia, are: The affirmation and acceptance of the homosexual person based on unconditional acceptance and intimacy, a

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move away from discrimination between heterosexual and homosexual people, an allowance for the state to exercise its task in terms of the Constitution, legal rights for homosexual couples, which at the moment is only available to heterosexual couples, the full participation in the life of the church by homosexual people and the de-stigmatisation of homosexual people affirming their dignity and worth as people. In this way the moral agent engages in the optimal accommodation of all relevant value systems.

Concerning an ethics of interpretation such an option will be conformable to the ways in which responsibility should qualify Christian ethics and thus make for responsible moral action. The hermeneutical notion of prejudice as the link between past text and current interpreter is affirmed, which makes for truth in Biblical interpretation. Any other option, for instance, those proposed by objective readings of the Bible will take the moral agent away from acting responsible in this context.

4.5.4. Testing the norms

In the next step we must test the (our) norms. In this way we must "...survey and choose among the ethically relevant criteria of decision." (Tödt, H E 1994: 293) We employ norms in order to decide between possible options for action. In our actions we must then 'activate' those relevant norms in terms of the issue

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at hand. We thus have to decide which norms are valid, often within a plurality of conflicting norms. In this task it is not just moral norms, which are at play but also our roles in society, in other words, ourselves in relation to the institutional settings in which we find ourselves in. Conflict is caused by norms, which are in conflict with one another. It is also caused by the fact that different people have different expectations and wishes. In our wanting to achieve certain aims we find ourselves in conflict with one another. This is followed by, what else is

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needed, namely, points of departure, or an overview, which is able to help the moral agent to have in view all conflicting norms and evaluation of them. In the end it is precisely this overall view, which is able to help the moral agent to choose between conflicting norms operating in any given context.

The different relevant ethical criteria chosen from can be explored under the following headings:

The norms pertaining to the vocation of the Christian in South African society. Here there is a focus on what would constitute the 'good' South African society and the role of Christians as moral agents in the constituting of moral norms for such a society.

Secondly, the norms pertaining to the relation between ethical decision making and Christianity. In other words, what makes responsibility in Christian ethical decision making, Christian.

Thirdly, the norms relating to the use of the Bible. That is, the hermeneutical notion of prejudices as the link between past text and current interpreter.

Vocation and society

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Within the context of the challenges presented to the Church by the Constitution of South Africa we can ask about what would constitute the 'good' society. In this process there is a need to have a Christian consensus on what would constitute a good South African Society and secondly to effectively translate this 'vision' into the wider South African Society. It has been noted that "...the relation between human rights and the Christian religion is a contested issue in

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itself." (van der Ven, J, Dreyer, J & Pieterse, H 2004: xii) One may also state it in this way: "... how can religious people consort with nonreligious people in such a way that the former can authentically think and act in terms of their own tradition without striving for religious hegemony over the latter?" (van der Ven, J, Dreyer, J & Pieterse, H 2004: 256) The Constitution is based on a separation between state and religion. The norm here is to contribute to the constitution of moral norms for both the Christian society and society as a whole. In terms of a correct understanding of humanism, that is, in its insistence on the historical situatedness of humanity, it entails the constitution of moral norms for today. In this way it is acknowledged that we live in our own finite historical time which says that whatever is universal for us can only be correctly understood as we apply it to the concrete realities of today's moral issues. In terms of the principles of 'a marriage relationship,' we can ask whether a different or new definition would not be able to more correctly define such a relationship for us today. In this task the moral values of the Bible cannot be the only nor final measure for our action. The freedom of conscience of others who are not Christian must also be taken into account and also the freedom of conscience of those who belong to different Christian traditions. Thus, there is the need to dialogue with others, at the same time being able to put forward an own comprehensive view of what would make for such a good society. Concerning the dialogue within the Christian society there is a need for the establishing of

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moral covenants or partnerships in order to overcome the threat of moral dissensus.

In this dialogue the following need to be taken into account:

The specific nature of the political sphere with its own demands and principles.

In this way it is also important to take into account the functional and other values operating in any given context. This is not to deny that for the Christian

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as ethical agent, the moral values coming to us from within our Christian tradition do have some priority, but this is never an absolute. There is always a tension involved, without moral values always able to replace functional and other values. As we have already seen the priority of religious values comes into play when it is acknowledged that other values are overstepping their mark. In other words, values can have a limiting effect on one another. Within a culture of human rights the values underlining same-sex civil unions are legitimate and the state operating within its means in order to achieve its goals in terms of non-discriminatory measures for the good of the whole of society. In this way then, not only does the state take their moral responsibility seriously but do what is necessary for the maintenance of order in terms of the Constitution.

What also needs to be considered is the possible outcome or consequences for the foreseeable future of such a dialogue or the lack there off. What will the effect be, on the Constitution and on the legal implications for the persons involved, if same-sex civil unions are to be disregarded, or had not been made into law?

The vocation of the Christian as moral agent can only be had within this dialogue between different value systems and within an ethic, which takes

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seriously the consequences of one's moral action. This is the meaning or role of Christian ethical decision-making in the context of South Africa today. The 'good' South African society thus entails an ongoing facilitation between different value systems in order to accommodate them all optimally. In this task principles can only be used in a reflexive manner in dialogue with others.

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Another aspect concerning the vision of what constitutes a 'good' South African society, is a need for consensus between Christians on what would a normative Biblical basis be. Within this dialogue it has to be accepted or assumed that the Bible, although providing for moral orientation to ethical issues today, is not always so clear on ethical issues and that many biblical norms are simply not in use today. It thus concerns the dialogue between what would constitute truth in Biblical interpretation or an ethics of interpretation. Without this consensus and consequent covenant making there seems to be little hope of effectively implementing or fulfilling the role or vocation of the Christian as moral agent. In terms of the vocation of the moral agent which can only be implemented within an ethics of responsibility there needs to be a dialogue on the hermeneutical task in ethical decision making related to the hermeneutical notions of historical objectivism and prejudices as the link between past text and current interpreter. In other words, the dialogue needs to include what constitutes truth in biblical interpretation based on epistemological and ontological grounds and thus the role of prejudices in Biblical interpretation. It is only within this dialogue that the vocation of the Christian as moral agent can be defined.

Christianity and ethical decision-making

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Christian ethical decision-making has to do with responsible freedom. In this freedom the Christian is to ask him or herself: Who is Jesus Christ for us today? This is the basis of one's accountability to God and to others. It is only the concrete context of one's situation, which can provide an answer to this question. The Christian needs to work for the transformation of the world. And this work is done within the Christian being a wise person bound to God by love as opposed to preset rules or principles. The wise person "... is aware of the limited receptiveness of reality for principles; for he (and she) knows that reality

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is not built upon principles but that it rests upon the living and creating God." (Bonhoeffer, D 1955: 46) In dealing with the world it takes seriously the reality of this world. Jesus, one can say, acts in a real world, in concrete situations and so make the universal concrete, for each situation demands its own responsible action. In other words, Jesus suffers the reality of the situation. He does not withdraw into timeless principles or rules. Thus, nothing can be said which can be good once and for all but Christ takes form among us in the here and now. Transformation means being drawn into this form of Christ. Although in one sense the form of Christ is and remains the same, that of love of God for humanity in its concreteness, it is willing to take the form in different ways in different situations.

In order to be a real person, the Christian is always the new person before God. And this is to be conformed to the Incarnate. Life is bound to God and to others. In living our deputyship, we are living for the other, as Jesus lived(ing) for us. This bond thus calls us to take responsibility for the other as opposed to turning our own ego or the other into absolutes. Ethical 'perfection' is thus never reached without taking into account our relationship with the other. There is a closeness between Christ and the world. In interpreting the life and words of Jesus we are in fact interpreting reality. In Jesus this world is loved by God, condemned by God and reconciled by God. "Action which is in accordance with

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Christ is in accordance with reality because it allows the world to be the world; it reckons with the world as the world; and yet it never forgets that in Jesus Christ the world is loved, condemned and reconciled by God.” (Bonhoeffer, D 1955: 200)

Standing before God we can act obediently yet we are free to act responsibly. “Obedience without freedom is slavery; freedom without obedience is arbitrary self-will.” (Bonhoeffer, D 1955: 220) We can also say that “Responsible action

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is subject to obligation, and yet it is creative.” (Bonhoeffer, D 1955: 221) In linking Christianity with responsible ethical action the focus shifts to a radical Christology. Christ is, one can say, the link, for in his life we see reality as it is and Christ acting responsibly within specific contexts. And acting responsibly simply means that the universal is related to the particular in a specific way. The moral agent is always engaging in finding criteria for what it means to be human in his or her current historical context or the historical character of society. In this way then, we can see that what it means to be human is to be ‘for the other’. It was Luther who said that “In obedience man adheres to the Decalogue and in freedom man creates new decalogues.” (Bonhoeffer, D 1955: 221) One can also say that from the viewpoint of Jesus, this life I am now living, is my calling, but from my own viewpoint, it is my responsibility.

Interpretation and being human

What concerns us has to do with human existence. Interpretation has to do with who we are as human beings. And what has to do with our existence can never be understood in a purely technical way. We are always understanding in one way or the other. And this understanding is made possible by our prejudices. In the use of language we can see the universal nature of understanding for in order to understand something we must already have some inclination of what it is

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about. And we understand things in terms of these pre-inclinations or prejudices. In speaking about something we comprehend it. Thus different languages will have different comprehensions or different ways of understanding something. The past speaks to us but the past is only comprehended in terms of the present context. Thus, the norm on which we draw is the humanness in all understanding. Therefore, when we speak about good moral acts it is always in line with this reality. The implication for an ethic of interpretation is that the way we approach texts has to do with who we are as

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human beings. We are finite creatures yet at the same time this allows for us to be responsible. As Christians we find our identity as the new person in Christ. This identity can therefore not be separated from an incarnational theology. As those who have been resurrected with Christ we know God's grace, even though we are guilty. We also share in Christ's guilt for we do not know what the situation is going to ask of us or how we are going to act in terms of being wise rather than in terms of rules or principles. We may transgress one of God's laws in order to act responsibly. But even in this, although we take responsibility for our moral acts, we have to throw ourselves back onto God's grace. This is our trans-subjective point of reference: Those who have been touched by grace or justified. This is the spirit from which we live.

The use of the Bible as a source for moral norms.

Within a plurality of approaches to the use of the Bible in Christian ethics and exegetical methods it must be said, again, that not all approaches or methods can be responsible. There is a responsibility to the text and to those who will be influenced by our reading of the text. Based on the epistemological work done earlier on and the 'nature' of understanding, the hermeneutical task can only be influenced by the notion that prejudices constitute the link between past text and

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current interpreter. And in order for our prejudices to be legitimate the prejudices have to be conformable to the ways in which responsibility should qualify Christian ethics.

We can now begin to identify those prejudices, which are to influence the hermeneutical task in Christian ethical decision-making. Ways in which responsibility should qualify Christian ethics are what can be seen as ‘fundamental starting points.’ That is, the ethical agent comes to the task already

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from these pre-understandings of what his or her ethical decision-making is all about. In order to understand something one has to have some pre-understanding of what it is about. As fundamental starting points these ‘ways’ can be translated into prejudices. As prejudices it then has to be related to the hermeneutical task.

Prejudice toward accountability to God, self and others in terms of broad moral responsibilities as opposed to accountability in terms of obedience to principles and rules for moral action. The reading of the Bible to the issue of same-sex civil unions is thus not done in terms of preset principles or rules or obedience to commandments as we find in objective thinking but rather in terms of the broader moral responsibility we have toward others, God and ourselves. Included in this is the responsibility we have toward homosexual people, toward our own Christian communities, and toward the Constitution. The points of departure in and the results of our exegesis and approach to the use of the Bible in our ethical decision-making, must thus be able to assume this broader moral responsibility.

Prejudice toward dialogue in the constitution of moral obligations with others for our time as opposed to keeping the flame of one’s convictions burning

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regardless of different value systems at play in a particular context. Points of departure for and the results of the exegetical task and our approach to ethical decision-making, must be able to contribute to the constitution of moral norms for the South African context. It must be able to contribute to dialogue within the Churches and within the wider society on what would constitute the 'good' South African Society. In other words, exegesis is a way of contributing to the vocation of the Christian as moral agent. The results of the exegesis must be able to take into account the relationship between the Constitution and the

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Church and the value sphere in which the state operates. It also includes dialogue within the Church on issues such as marriage and human sexuality.

Prejudice toward taking into account and taking responsibility for the consequences of one's moral action as opposed to leave the outcome to God or to blame the consequences on others. An ethics of conviction, which holds to objective thinking in interpretation, is first and foremost concerned with the convictions or principles from which one is operating, from. The responsibility for the outcomes of moral action is left to God or to others. The responsible person, however, will thoroughly think through the effects of his or her interpretation on the text and on the lives of others and will take responsibility for it. The results of our exegesis must thus be evaluated in the light of what the consequences might be for those affected.

Prejudice toward the relational nature of ethical decision making as opposed to a substantialist view. Ethical decision-making always happens in terms of relationships. We are responsible to God and to others and ourselves. Our exegesis must be able to address the issues around relationality. This implies that it be done in such a way, what amounts to practical wisdom within a

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context, that the relational demands of the situation influences the outcome of our exegesis. Exegesis is thus always done with a view to the other.

Prejudice toward the world in all its reality and toward the reality of God in the deputyship of Christ Jesus as opposed to timeless principles or laws as absolutes. This is to say that our exegesis must always be done in such a way that it meet the demands of the reality of the world and the reality of who God is for us in Christ Jesus. It thus does not attempt to hide or run away but approaches interpretation in terms of the full reality of the world in its

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concreteness. Ethical action is always concrete. In this way there is a close relationship between Biblical norms and secular norms. They need not be the same but they find their unity in the reality of the world and the reality of God. Biblical interpretation cannot escape this reality. It must thus seek to answer the question about what it means to be human. In this the spirit in which we live is that of the grace of God.

These prejudices are based on the fundamental starting points in Christian ethical decision making, namely, ways in which responsibility should qualify Christian ethics as opposed to an ethics of conviction and prejudice as the link between past text and current interpreter as opposed to objective historical thinking.

Instead of providing specific examples, as in the original work, I would want to end this section by referring to the three elements of Biblical interpretation, which can be applied to all the Biblical texts dealing with the issue of same-sex relationships.

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A provisional clue.

Here we have to do with those historical-critical methods without which we cannot do our exegesis. It gives us an insight into what the text is pointing to. But because of the notion of prejudices as the link between past text and current interpreter we have to choose those methods, which is able to extend the traditional historical-critical methods so as to make the fusion of two horizons possible. For already here, our prejudices are at work. This is how all

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understanding happens. Thus, in coming to the text, the more we know, gives us a deeper insight into the subject matter.

A deeper insight into the subject matter

Having dealt with a provisional clue as to what the text is saying, have we now dealt with all aspects relating to the subject matter of the text? What deeper insights do we have related to the subject matter of the text? These deeper insights are already embedded in our understanding of the provisional clue or step one and comes from our context.

The provisional clue to the text is based on a reading which do not ascribe to the subject matter being seen as a preset rule or commandment which is valid for all times and under all circumstances. The author's intent is broadened to include categories of behaviour with which we are dealing with today. In this way, the horizon of meaning from which the interpreter comes to the text has been fused with the horizon of meaning of the text. The link between past text and current interpreter is thus, inter alia, constituted by this prejudice, namely, that we are to assume broad moral responsibilities toward God, self and others. This we can only do within our current context. Our context, as we have seen, consist of: the

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dialogue between religion and Constitution, the Church as a place of ethical diversity, the modern understanding of human sexuality, and the issues of the institution of marriage and homosexual behaviour argued from a Natural Law viewpoint.

A society based on a Constitution such as that of South Africa cannot, in terms of the Constitution, 'tolerate' unfair discrimination on sexual grounds. The responsible politician will have to uphold the Constitution. The reading of the

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Bible can thus be used in the dialogue as to what would constitute the good South African society. It can be accepted by others who are not Christian.

In terms of our moral responsibility to the Bible and to God, we have not moved outside of the subject matter of the text. It is clear that the Bible speaks about homosexual behaviour. In this way we cannot say that the Bible has nothing to say to us about such behaviour. Within certain contexts such behaviour cannot or would not be tolerated. However, in coming to the text from our current understanding or context, it is also clear, from what we now know about the subject matter, that the Bible does not speak about such behaviour within the context, that is, same-sex civil unions, which is being considered today. It does not speak in terms of our Constitution and our understanding of human sexuality. The historical distance between the text and our current time makes this clear.

We live from the spirit of God's grace, in which we are to be there for the other in his or her concrete reality. Our responsibility to God can never ignore or neglect this concrete reality of the other, as we have seen in the work of Dietrich Bonhoeffer. In this way the Bible's message, based on the concrete realities of

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today, is able to speak into the situation in which we live today. By not engaging in the text as a commandment or fixed rule we fall back onto God's grace. In this way our exegesis has been relational in that the relationships in which same-sex, behaviour is being expressed in is taken seriously and also in the sense that the consequences of our exegesis has been taken seriously, that is the affect of our exegesis on those in same-sex relationships or civil unions.

The provisional clue has been influenced by all of these. In the exegesis, modern day categories were thus used to the understanding of the text. We have also

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adhered to the hermeneutical notion that in reading texts from the past we are already engaging in application. That is, application is not something, which is added on after the author's intent has become clear. In this way it became clear that the Bible speaks of same-sex unions only within a certain context. This context is different than the context with which we are dealing with today. The provisional clue is characterised by a way in which responsibility should qualify Christian ethics.

Perhaps we can also add that Natural law is about the deduction of rules of human behaviour from the rational observation of natural phenomena. Natural law thus allows for the use of reason in the moral discerning process. Natural law then seeks to make us aware that some human behaviour can be contrary to nature and thus against the human reasoning behind such a viewpoint. When one deals with issue of homosexuality in terms of biology it seems that there is, based on the anatomy of male and female "... a sense of revulsion toward a practice that is "not done here"." (Bird, P 2002: 157) But as we have already indicated, the Bible does not deal with homosexuality in these, biological, terms. For the Bible, contrary to nature, "... cover all those behaviours in Israel that are anomalous and punishable by death." (Malina, B 2002: 405) Thus we can conclude that in terms of what is natural and unnatural we can only work

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according to the categories found in Scripture and those categories have to do with what was customary for Israel.

Working from within our own prejudices it is clear that the distance between what was customary for Israel and current notions of what is customary makes it possible for us to understand the text in its current day application. A pure historical reading, in which the role of prejudices are being denied, will only point us to what was customary for Israel. To then use those categories for an

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application for today would be to deny the distance, which makes understanding possible in the first place. In this way the text, or the subject matter of the text, is able to correct the prejudices embedded in objective readings of the Bible.

The creation accounts themselves nowhere indicates the institution of heterosexual marriage. These accounts served rather to explain what was already in place, including the roles of male and female. It is thus explained in terms of a society constituted in terms of gender based identities. What was natural or unnatural had to do with categories of behaviour made customary in and through a people's experience of their social and moral world. Marriage is a social or cultural institution with legal implications. It is thus not a religious institution in nature. "Marriage as 'ordained' by God has no Biblical foundation, especially not according to the traditional quoted Genesis 2: 18." (de Villiers, G 2007: 110) In today's world the role of men and women within marriage relationships is also changing and does not reflect the Biblical view of a patriarchal society.

When dealing with the issue of human sexuality a distinction can be made between an essentialist and a social constructionist approach. "Essentialist refers to a view that given phenomena in human beings can be understood with

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reference to an inherent 'essence' residing in the individual," (Szesnat, H 1997: 337) and a social constructionist view refers to "... a perspective on human sexuality that... (it) is a social construct." (Szesnat, H 1997: 340) For an essentialist an important point of departure is the biological nature of human beings and gender is then grounded in one's sexual anatomy. Homosexuality can then be used to refer to an aspect of human beings which is culturally independent. The view of the social constructionist is that "Sexuality as such is not an independent category, objectively definable in every culture and

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historical context: Each culture determines what is 'sexual' and what is not." (Szesnat, H 1997: 341) Sexuality is thus to be viewed in terms of a complex set of human relations and interactions. Human sexuality can thus only be understood in relation to other social and cultural factors, which includes power and gender. Or to put it yet again differently: "The appropriation of the human body and of its physiological capacities by an ideological discourse." (Szesnat, H 1997: 342) We can then also say that although biology does not cause human behaviour it does condition it. Human sexuality is also understood today in terms of the individualism of today's western culture.

In hermeneutics there has been a movement over time. This movement has always been closely linked with the prevailing 'spirit' of a certain age or time. It has become clear today that not only the text but also the interpreter stands in a given historical time. No interpreter is free from being influenced by his or her 'historical' time. The very fact of our finitude makes us aware of the positive role of prejudices in understanding. This has come to be recognised by hermeneutics.

4.5.5. The judgment as decision

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In the next step or aspect we are dealing with the judgment as decision. It entails "... an active self – determination: "I make up my mind" To do such and such." (Tödt, H E 1994: 293) Here we are dealing with the historical situatedness of the moral agent. It serves as a limiting factor in ethical decision making for we can only see from within our own finitude. Reason or our rational is itself historically situated. In this sense our moral action does not in the first instance consist of the rational nature of humanity but rather on the

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responsibility we have as human beings in dialogue with other human beings. It is only in solidarity with others that we can make our ethical decision-making.

From the norms identified and the results thereof the moral agent is now in a position to say that he or she, as part of his or her vocation as a Christian moral agent in the current South African context, subscribes to the position that the Church should sanction same-sex civil unions. This position has proved itself to be accepted by many but especially in terms of our Constitution it is a position which makes for a good South African Society in which unfair discrimination has no place. From within this context, this situation, as far as the moral agent can 'see,' this would be the most responsible position to take.

4.5.6. Retrospective adequacy control

And lastly we engage in retrospective adequacy control for judgments "... are often made in a tentative and preliminary manner." (Tödt, H E 1994: 293) We may, for instance, decide to re – evaluate if the solution really addresses the problem we have started out with. Ultimately we are concerned with whether our choice of action fulfill the sense of our own identity.

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5. The debate and responsible use of the Bible

From the work already done it is clear that the Biblical basis for an ethical view held relating to the issue of same-sex civil unions is that the Bible does not primarily speak about homosexuality in terms of a loving, faithful, 'marriage,' relationship and especially so when we speak about two people who are confessing Christians. From our exegesis it is thus clear that homosexual behaviour in the Bible does not refer to the kind of relationship we are considering today. In the Bible, the 'more' we know about the subject matter, that

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is, the prejudices from which we have approach the relation between the text and our ethical decision making and our exegesis, which informs our hermeneutics or the truth claim of the text, directs us to say that when the Bible deals with homosexuality it is always in terms of what was the expected norm of the day and not in terms of today's understanding of 'marriage,' relationships which is based on individual choices and which implies a faithful, loving, relationship between two consenting adults.

This exegetical work is based on prejudices, which are conformable to the ways in which responsibility should qualify Christian ethics in general. On epistemological and ontological grounds it has been shown that an objective reading of Scripture is not possible anymore. Historical objectivism or objectivity in Biblical interpretation has been undone by this movement in hermeneutics. This movement has led to new insights related to not just the text but also the current interpreter standing in it's own historical situation and each new situation brings forth its own prejudices, which is not something negative, but precisely that which makes interpretation possible in the first place. Truth in interpretation is thus found in the hermeneutical notion of prejudices constituting the link between past text and current interpreter.

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Concerning the three approaches to the use of Scripture in the debate it is now clear that only the second and third approaches would, to a lesser or greater degree, fulfill the criteria for responsible use of the Bible in ethical decision making. The first approach in which there is a neglect of the distance between past text and current interpreter and in which there is a preference to ‘directly’ translate the text into today’s context, in an objective way, does not fulfill such criteria. With the second approach, which subjects certain passages to wider themes running through Scripture, there is a constant critique of texts and thus can

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be corrected in terms of these broader themes, for instance the revelation which we find in Jesus Christ. There is within this approach the element of the concreteness of the situation. The third approach takes this one step further by arguing that there is, in Biblical interpretation, an openness to the ongoing truth, being revealed through the ongoing ministry of the Spirit. This ongoing work is being unfolded as the Church grows in her capacity to understand God’s revelation in a new way in each new historical situation. It would thus seem that this third approach comes nearest to responsible use of the Bible in Christian ethical decision making as understood in this (current) work or thesis.

Conclusions reached

The Summary then comes to the following conclusion as to the consequences of implementing the second and third approaches:

“1. The assumption that the Bible condemns unequivocally every expression of the modern–day experience of homosexuality is without adequate foundation.

2. Any dehumanisation, rejection, oppression or injustice experienced by a homosexual person is contrary to the loving intentions of God.

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3. The attitude of the Church towards homosexual people should be patterned upon the ministry of Christ, who welcomed the outcasts and touched the untouchables.

4. The ongoing witness of the Spirit can free the church from the shackles of oppressively time-bound understandings and interpretations of the Scriptures. (Perhaps here one can refer to the tyranny of prejudices when not liberated or understood in a positive sense)

5. The Spirit helps the Church to engage rigorously with the Scriptures in order that the Living Word of God might be heard and known in every age.

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One of the implications for the Church is that, should the Church continue to not allow its members to officiate at same-sex civil unions, that is, should the Church not sanction such unions, the Church is not acting responsibly. The issue is not primarily that of principle or rule but responsibility or the moral agent acting responsibly or not. It would thus neglect on its vocation in the current South African context.

In order to have reached such a conclusion, it would seem that, the author's, although not explicitly referring to it, are well aware of the influence of prejudices in the interpreting task. The prejudices are rather discernable in the descriptions and conclusions came to. Only an awareness of, even though it may be limited, of prejudices can ask for 'new understandings in new times.' The only explicit reference to prejudices in the debate, and even this is not in relation to the use of Scripture, is in a document, entitled: Christians and Same – Sex relationships: An alternative guide to the Discussion Guide.' In which it is said: "There can be no place for prejudice amongst God's people. Have we forgotten that we are all sinful and unworthy of any of God's great grace and riches – lay, clergy, saved

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and unsaved? How dare we pretend that we are acceptable and others not! This prejudice applies to many groupings:

- Homosexuals
- Other races
- Lay people who are made to feel unworthy by some clergy
- Alcoholics
- Beggars, hobos and other ‘undesirables.’”

Again here we see the ‘negative’ connotations that prejudices have. As long as prejudices are not ‘liberated,’ that is, understood as something positive, that which makes understanding possible in the first place, the different documents will reduce prejudices to this negative connotation. The question is whether our

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prejudices are legitimate or not. In the debate, this has not yet been answered in an explicit way. In other words, there is, in the debate, a neglect of reflecting on an ethics of interpretation so as to determine what kinds of acts of interpretation are responsible in a number of ways or senses.

Conclusion

It is clear, from the original work done, and from the this and the previous summary presented to DEWCOM, that if the Church should want to act morally responsible, in terms of its ethics of interpretation and the issue of same-sex civil unions, within the South African context, the Church will have to sanction such unions, in one way or the other. This argument is based on a philosophical hermeneutics and an ethics of responsibility and their respective ethical implications for Biblical interpretation, which is able to adequately describe what it means to understand texts from the past. As such, it describes things as they are. Taking my cue from the way in which CS Lewis said things, I would want to say

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that prejudices is God's way of arousing a forgetful world to its human finiteness as opposed to God's infinity, or something like that!

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